

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,

Plaintiffs,

vs.

HARLEY DANIEL DEGROAT, and
REBECCA MARIE HERNANDEZ,

Defendants.

4:21CR3009

ORDER

Defendant DeGroat has moved to continue today's status conference because his motion to suppress remains pending. (Filing No. 94). The motion to continue is unopposed. Based on the showing set forth in the motion, the court finds the motion should be granted. Accordingly,

IT IS ORDERED:

- 1) The telephone conference scheduled for today is continued to 1:00 p.m. on May 3, 2023. At the conference, counsel must be prepared to discuss setting either a change of plea hearing, or the date of the jury trial and deadlines for disclosing experts as required under Rule 16. Counsel for all parties shall use the conferencing instructions provided by the court to participate in the call.
- 2) The ends of justice served by granting the motion to continue outweigh the interests of the public and the defendants in a speedy trial, and as to both defendants, the additional time arising as a result of the granting of the motion, the time between today's date and May 3, 2023 shall be deemed excludable time in any computation of time under the requirements of the Speedy Trial Act, because although counsel have been duly diligent, additional time is needed to adequately prepare this case for trial and failing to grant additional time might result in a miscarriage of justice. 18 U.S.C. § 3161(h)(1), (h)(6) & (h)(7). Failing to timely object to this order as provided under this court's local rules will be deemed a waiver of any

right to later claim the time should not have been excluded under the Speedy Trial Act.

Dated this 23rd day of March, 2023.

BY THE COURT:

s/ Cheryl R. Zwart
United States Magistrate Judge